

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

**PLAN FOR THE RANDOM SELECTION
OF GRAND AND PETIT JURORS
FOR SERVICE WITHIN THE
DISTRICT OF VERMONT**

Date Approved by the District: **June 27, 2006**

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**PLAN FOR THE RANDOM SELECTION OF GRAND
AND PETIT JURORS FOR SERVICE WITHIN THE
DISTRICT OF VERMONT**

Pursuant to the provisions of the Jury Selection and Service Act of 1968, 28 U.S.C. § 1861, as amended, the United States District Court for the District of Vermont adopts the following revised Plan for the random selection of grand and petit jurors for service within the District of Vermont.

The District's prior Plan which became effective June 15, 1979, as amended on January 27, 1981; August 23, 1983; July 1, 1989; July 1, 1997; and August 31, 2000 is superseded by this Plan, subject to approval by a Reviewing Panel as prescribed by 28 U.S.C. § 1863(a).

1. DECLARATION OF POLICY [28 U.S.C. § 1861]

It is the policy of this Court that all litigants entitled to a trial by jury within the District of Vermont have the right to have grand and petit juries selected at random from a fair cross section of the population as represented by District's three jury divisions. All citizens who are registered voters shall have an equal opportunity to be considered for service as grand and petit jurors. Likewise, all citizens who are called to serve as jurors have an obligation to serve once summoned.

2. DEFINITIONS OF THE PLAN [28 U.S.C. § 1869]

A. Definitions of the Jury Plan. For purposes of this Plan:

- (1) "clerk" and the "clerk of court" shall mean the clerk of the United States District Court for the District of Vermont or any authorized deputy clerk so appointed by the clerk pursuant to 28 U.S.C. § 751(b).
- (2) "chief judge" shall mean the senior, Article III judicial officer for this district, as defined by 28 U.S.C. §136.
- (3) "Court" shall mean the judges, including the U.S. magistrate judge, for the United

States District Court for the District of Vermont.

- (4) "juror qualification questionnaire" shall mean a form prescribed by the Administrative Office of the United States Courts and approved by the Judicial Conference of the United States which shall elicit the name, address, age, race, occupation, education, length of residence within the judicial district, distance from residence to the place of holding court, prior jury service, citizenship of the potential juror and whether the juror should be excused or exempted from jury service, has any physical or mental infirmity impairing his or her capacity to serve as a juror, is able to read, write, speak, and understand the English language, has pending against the juror any charge for the commission of a state or Federal criminal offense punishable by imprisonment for more than one year, or has been convicted in any state or Federal court of record of a crime punishable by imprisonment for more than one year and has not had his or her civil rights restored. The form shall request, but not require, any other information not inconsistent with the provisions of 28 U.S.C. § 1869(h) or required by this District's Jury Plan. The form shall also elicit the sworn statement that the juror's responses are true to the best of his or her knowledge. Notarization shall not be required. The form shall contain words clearly informing the person that the disclosure of any information with respect to the juror's religion, national origin, or economic status is not a prerequisite to the juror's qualification for jury service and that such information need not be furnished if the person finds it objectionable to do so and that information concerning race is required solely to enforce nondiscrimination in the jury selection process and has no bearing on an individual juror's qualification for jury service.
- (5) "jury summons" shall mean a document containing written information issued by the Court, the clerk or the jury commissioner bearing either a pre-printed or stamped seal directing the addressee to physically appear for jury service as ordered by the Court.
- (6) "jury wheel" shall mean the physical listing of the names of registered voters existing in either hard-copy or electronic format, either in pre-qualified form (a master jury wheel) or in qualified form (a qualified jury wheel).
- (7) "publicly draw" as it is used in this Plan shall have the meaning prescribed by 28 U.S.C. § 1869(k). When juror name selection occurs using computer-assisted rather than manual procedures, the process of automation virtually rules out the ability of the public as well as court employees to view the actual selection process as it is no longer physically observable. In recognition of this fact, the Judicial Conference adopted at its March 1979 session a regulation for those courts using automated jury wheels that the meaning of "public drawing" only applies to the selection of the starting number and quotient interval during the

initial process of selecting juror names from original source lists and that this term does not require any public observance of actual computer operations.

- (8) "public officer" shall mean a person who is either elected to public office or who is directly appointed by a person elected to public office.
- (9) "random selection" shall mean any system of selection, either manual or electronic, in which each prospective juror has an equal chance of being chosen for jury service at the outset of the selection process free from human prejudice or system bias. Pure randomization means the names presented for drawing are systematically rescrambled after each name is selected. When systematic randomness is employed as a methodology, the first name selected is chosen purely randomly and the remaining names are then chosen in equal intervals or increments throughout the source list or database.
- (10) "undue hardship or extreme inconvenience" shall mean the basis for excuse from immediate jury service under Section 1866(c)(1) of Title 28 U.S.C., generally based upon time or distance traveled to the place of holding court; a grave or immediate illness to a potential juror or family member; or a severe economic or household hardship which outweighs the obligation of a juror to serve.
- (11) "voter checklists" shall mean the official voter registration records as maintained by local election officials for persons registered to vote or the computerized statewide voter registration checklists maintained by the state of Vermont pursuant to the Help America Vote Act of 2002.

3. PROHIBITION OF DISCRIMINATION [28 U.S.C. § 1862]

No citizen shall be excluded from service as a grand or petit juror on account of race, color, religion, sex, national origin, age or economic status.

4. JURY MANAGEMENT [28 U.S.C. § 1863(b)]

The clerk of court shall manage the jury selection process for each jury division within the District. The clerk shall act under the supervision and oversight of the chief judge.

5. AUTHORIZATION FOR THE DISTRICT OF VERMONT [28 U.S.C. § 126]

Vermont constitutes one judicial district. Court may be held at Bennington, Brattleboro, Burlington, Montpelier, Rutland, St. Johnsbury or Windsor, Vermont.

6. JURY DIVISIONS WITHIN THE DISTRICT

The following shall be the names assigned to the three geographical areas, or jury divisions, within the District of Vermont, each containing at least one location for holding court:

- A. **Northern Jury Division** shall be composed of all cities and towns in the state senatorial districts, or counties, of Caledonia, Chittenden, Essex, Orleans, Franklin, Grand Isle, Lamoille and Washington.
- B. **Southeastern Jury Division** shall be composed of all cities and towns in the state senatorial districts, or counties, of Orange, Windham and Windsor.
- C. **Southwestern Jury Division** shall be composed of all cities and towns in the state senatorial districts, or counties, of Addison, Bennington and Rutland.

7. VOTER CHECKLISTS AS A SOURCE OF NAMES [28 U.S.C. § 1863(b)(2)]

The Court finds that the persons whose names appear on the voter registration checklists in communities comprising the fourteen (14) state senatorial districts or counties within the District of Vermont represent a fair cross section of citizens of the state of Vermont. The procedures prescribed by this Plan are designed to ensure a random selection of a fair cross section of the populace residing in each community, city and town within the District of Vermont so that each community is substantially and proportionally represented by the District's Master Jury Wheels.

8. MASTER JURY WHEELS [28 U.S.C. § 1863(b)(4)]

The clerk of court shall maintain a separate Master Jury Wheel for each of the District's three jury divisions. The Master Jury Wheel for each jury division shall consist of, as a minimum, 5,000 names.¹ Unless the court shall otherwise direct, the Master Jury Wheels shall be emptied

¹ Title 28 U.S.C. § 1863(b)(4) requires the *minimum* number of names initially placed in a master jury wheel to be at least one-half of one percent of the total number of names appearing on the source list(s) for a jury district but in no event less than one thousand names.

and refilled as herein provided between January 1st and July 1st of every year following a General (i.e. Presidential) Election.

For the purpose of determining the total number of registered voters in each jury division, the total number of registered voters as obtained from each city and town checklist for that jury division will be combined. The number taken as the total for each city, town or gore will be based upon the total number of registered voters as provided from actual voter registration checklists as furnished by Vermont city and town clerks or from computerized voter registration checklists maintained by the state of Vermont.²

The voter checklists or database records shall be arranged in alphabetical order by town and city. Such arrangement shall be treated as the master list of the registered voters within a jury division.

9. METHOD AND MANNER OF RANDOM SELECTION

The selection of the initial starting names from the voter checklists shall occur by a purely random method. This procedure will ensure that: (a) names chosen will represent all segments of the source list or data file; (b) the mathematical odds of individual names being selected are substantially equalized; and (c) the possibility of human bias affecting the selection of any one individual is eliminated.

² The Help America Vote Act (HAVA) of 2002 passed by Congress in response to election controversies which surfaced during the 2000 General Election created a January 1, 2006 deadline for states to put into place a single, uniform, centralized, computerized statewide voter registration list that is defined, maintained and administered at the state level. The state of Vermont successfully met the deadline established by the HAVA and as of the time of the amendment to this Plan, now relies upon a centrally-maintained, automated database rather than hard-copy voter registration lists to maintain voter registration records. Using the automated statewide voter registration database, Vermont town clerks can add, edit and purge voter names via remote desktop application.

The selection of names shall be made under the direction and supervision of the clerk of court, who shall function as the jury commissioner. The clerk may incorporate the use of electronic media for cities and towns having such capability, provided that any names selected are chosen randomly and without bias in compliance with the Jury Selection Act and this Plan.

The cities and towns in each of the three jury divisions shall be substantially and proportionally represented in the Master Jury Wheel of the jury division in which the town or city is located, except however, that each city, town or gore in each jury division shall be represented by a minimum of two names.

Where necessary to foster the policy and protect the rights secured by 28 U.S.C. §§ 1861 and 1862, reference may be had to other sources of names as selected by the Court in addition to the voter registration checklists. However, before any other source of names other than voter registration checklists are used to establish a master jury wheel, this Plan shall be specifically amended to include the justification and reason(s) therefore for the need to supplement voter registration lists.³

A. Determining a “Quotient”

For each jury division, the clerk shall make a random and public selection from the total number of registered voters comprising a jury district using a “quotient” methodology. Under this method, the total number of registered voters in a jury division is divided by the number of names to be placed in the Master Jury Wheel. The number so obtained will then be considered to be the

³ The use of voter registration lists is the preferred source list for obtaining potential jurors within the federal court system and the recruitment of jurors exclusively from voter lists adequately satisfies the policies and protects the rights secured by Sections 1861 and 1862 of the Jury Selection Act. This position is unfailingly supported by the body of appellate and district court decisions handed down in jury challenge cases. *The Guide to Judiciary Policies & Procedures*, Chapter 23: Jury, Section 23.03(a).

"quotient" or the ratio of selected to unselected names. For example, if the clerk should determine that in order to fulfill the requirements of a jury district for four years, 5,000 names are required by a master jury wheel and if 180,000 registered voters exist in a particular jury division, the "quotient" to be used would be 36 (i.e. 180,000 divided by 5,000). To create the master jury wheel for this particular jury division, every 36th name would then be selected from the voter checklists comprising the jury division.

B. Determining a "Starting Number"

After determining the "quotient," the clerk shall randomly and publicly select a starting number. This number will identify the position of the first name to be selected from the initial voter registration checklist or the electronic voter registration database. The starting number will be manually drawn by lot from numbered tickets or tokens placed in the jury wheel, drum or box. The tokens used for this drawing shall be numbered starting with the number "one" and end with whatever the "quotient" number is. For illustrative purposes, if the quotient is 36 and the starting number drawn is 12, the first name chosen for that particular jury division would be the 12th name on that district's initial voter checklist; the second name selected would be the 48th name; the third name selected would be the 84th name, etc., continued on in this sequence to the end of the particular voter checklist occurring for this particular jury division.

A consecutive number shall be assigned to each name selected from each Master Jury Wheel and this number shall be entered on the voter checklist or voter database and to each juror qualification questionnaire.⁴

⁴ When automated methodology is used to determine individual voters selected, the number assigned to each potential juror equates to the "record ID" number.

C. Method and Manner of Random Selection

(1) *Manual Methodology.* The actual selection of names from voter registration checklists may be made either by physical count (when the voter registration list is unnumbered) or by computation (when the voter registration list is numbered). In lieu of actually physically counting names, a measuring device such as a ruler or a template which physically expresses the proper quotient interval may be used.

(2) *Automated Methodology.* At the option of the clerk, after consultation with the Court, the selection of names for the creation of a Master Jury Wheel may be made using voter registration source lists which occur in electronic format. When such source lists are used, the selection of names for the Master Wheel must rely upon a properly-programmed electronic data processing system employing either a purely randomized selection process or a process employing systematic randomness. The randomized selection process should ensure that the mathematical odds of any single name being picked are substantially equal and that the process occurs randomly without human bias or prejudice. Should a systematic randomness approach be employed, the process should ensure that all names selected are selected proportionately by the computer from the source database without human bias or prejudice.

10. REFILLING THE MASTER JURY WHEEL BETWEEN GENERAL ELECTIONS

Whenever the Court believes that the demands made upon a master jury wheel have been excessive or the possibility exists that a master jury wheel may become exhausted prior to the next quadrennial refill, a judge may order the clerk to place additional names into the master jury wheel consistent with the procedures outlined by this Plan. The Court shall specify the number of names to be placed in the master wheel requiring refill. The clerk shall ensure that either a random or

proportionate interest is maintained between the towns and cities comprising the jury division requiring supplementation; however, when a master jury wheel is supplemented between quadrennial refills, the requirement that each town or city be represented by two names shall not apply.

11. DRAWING OF NAMES FROM THE MASTER JURY WHEEL; COMPLETION OF THE JUROR QUALIFICATION FORM and ONE-STEP SUMMONING [28 U.S.C. §§ 1864 & 1878]

At the option of the district court and pursuant to this Plan, jurors may be summoned and qualified in a single process known as “one-step summoning.”⁵ As directed by the Court, the clerk shall publicly draw at random from the Master Jury Wheel the names of as many persons as are required for jury service within each jury division. The number of names so drawn shall be determined by the clerk based upon the anticipated juror demands of the Court plus a margin of additional names sufficient to compensate for individuals who become unavailable or ineligible to serve as jurors.

The clerk shall prepare, by manual or automated methodology, alphabetized lists of the names drawn. These lists shall not be disclosed to any person except as provided herein by this Plan and Sections 1867 and 1868 of Title 28 U.S.C.

The clerk shall prepare and have mailed to every person whose name is drawn from a master jury wheel a juror qualification questionnaire, accompanied by instructions to complete and return the questionnaire within ten days. Each questionnaire shall be duly signed and sworn by the

⁵ Title 29 U.S.C. § 1878 allows each district to summon and qualify jurors in a single procedure in lieu of the drawing of names from a master wheel (28 U.S.C. § 1864), the qualification of those individuals so selected and their placement into a qualified jury wheel (28 U.S.C. § 1866). This unified procedure is commonly referred to as “one step summoning.”

individual it is addressed to. The form and content of the juror qualification questionnaire shall be as prescribed by the Administrative Office of the United States Courts and as approved by the Judicial Conference of the United States Courts. Should a potential juror be unable to fill out or complete the juror questionnaire, another person may do so, indicating the reason(s) therefore. In cases where there appears to be an omission, ambiguity or error in a completed juror questionnaire, the clerk shall promptly return the questionnaire with instructions that additions or corrections be made to it and that the questionnaire be again returned within ten days. Any person failing to return a juror qualification questionnaire may be summoned to appear before the clerk for the purpose of completing the questionnaire. Any person failing to appear on a summons may be ordered to appear by the district court. Failure to appear upon court order may result in the imposition of sanctions as authorized by 28 U.S.C. § 1864(b).

12. QUALIFICATIONS FOR JURY SERVICE [28 U.S.C. § 1865]

The judges of the district court retain the right to perform the qualification process. Pursuant to this Plan, however, under the oversight of the chief judge, the clerk and jury commissioner is authorized to determine whether an individual is qualified, exempt or eligible for excusal from jury service. The determination of an individual's qualification status may be made using either manual or automated methodology. When made, the juror's qualification status shall be entered in the space provided by the juror qualification questionnaire or upon a list so maintained from the Master Jury Wheel. Should a person not appear in response to a summons, this fact shall be noted on the list.

In determining a juror's qualification status, any citizen is eligible to serve as a grand or petit juror unless he or she:

- (1) is under eighteen (18) years of age;
- (2) has not resided within the District for one year;
- (3) is unable to read, write and understand the English language with a degree of proficiency sufficient to satisfactorily complete the juror qualification form;
- (4) is unable to speak the English language;
- (5) is incapable, by reason of mental or physical infirmity, to render satisfactory jury service; or
- (6) has a charge pending against him or her for the commission of, or has been convicted in a state or Federal court of record of, a crime punishable by imprisonment for more than one year and civil rights have not been restored.

13. EXEMPTION FROM JURY SERVICE [28 U.S.C. § 1863]

Pursuant to the provisions of 28 U.S.C. Section 1863(b)(6), members of the following groups of individuals are hereby barred from jury service on the grounds that they are exempt:

- (1) members in active service in the Armed Forces of the United States;
- (2) active, full-time members of the fire or police departments of the state of Vermont or any political subdivision thereof; and
- (3) public officers in the Executive, Legislative, or Judicial branches of the Government of the United States or of any state or subdivision thereof who are actively engaged in the performance of official duties.

14. EXCUSES UPON INDIVIDUAL REQUEST [28 U.S.C. § 1863(b)(5)(A)]

The Court finds that jury service by members of the following occupational classes or groups of persons would entail undue hardship or extreme inconvenience and that excusal of such members from jury service is in the public interest and is not inconsistent with 28 U.S.C. §§ 1861 and 1862. Accordingly, the following classes or groups shall be granted excusal by the Court upon individual request:

- (1) all persons over seventy (70) years of age;
- (2) all persons who have served as a grand or petit juror in Federal court within the preceding two years; and
- (3) all "volunteer safety personnel" who serve as fire fighters or members of a rescue squad or ambulance crew for a public agency.

Additionally, any person summoned for jury service may be excused by the Court or by the clerk upon a showing of undue hardship or extreme inconvenience for such period as may be deemed necessary. Upon the conclusion of the period of hardship or inconvenience, the person excused shall once again be eligible for jury service.

15. SELECTION OF PETIT JURORS

From time to time, as ordered by the Court, the clerk shall publicly select at random from the Master Jury Wheel such number of jurors as may be required for qualifying and summoning for petit jury service.

Each person selected as a petit juror shall be summoned in the manner prescribed by 28 U.S.C. Section 1866(b). The clerk shall cause to be made a separate list of names of persons assigned to each petit jury panel as required by 28 U.S.C. Section 1866(a).

16. SELECTION OF GRAND JURORS

From time to time, as ordered by the Court, the clerk shall publicly select at random from the Master Jury Wheel an appropriate number of names to be considered for prospective grand jury service. Each person selected shall be served in the manner prescribed by 28 U.S.C. § 1866(b).

The names of not less than sixteen (16) nor more than twenty-three (23) qualified persons shall then be randomly selected from the prospective jury panel, which shall then constitute the grand jury impaneled for service for that jury division. Pursuant to Rule 6(a)(2), FED. R. CR. P.,

the Court may also select alternate grand jurors who shall have the same qualifications and shall be selected in the same manner as any other juror. Alternate grand jurors will replace jurors in the same sequence in which the alternates were selected.

The clerk shall cause to be made a separate list of names of persons assigned to each grand jury panel, as required by 28 U.S.C. § 1866(a).

17. TERMS OF SERVICE [28 U.S.C. § 1866(e)]

Petit jurors selected under this Plan shall serve a term, subject to trial activity, of approximately four (4) months. During this term of service, no petit juror shall be required to serve or attend court for prospective service as a petit juror for a total of more than thirty (30) days, except when necessary to complete service in a particular case.

Grand jurors shall serve for a term not in excess of 18 months, unless otherwise extended by the Court. No juror shall be required to serve on more than one grand jury or serve both as a grand juror and a petit juror during the life of the Master Jury Wheel from which the juror was drawn.

18. OBLIGATION TO SERVE [28 U.S.C. § 1864(b)]

When summoned to serve as a juror, every qualified person shall be obligated to serve. Jurors may be granted deferment until the next jury term should circumstances warrant. Failure of a juror to appear as directed may result in the issuance of an order to show cause for failure to comply with a summons. Any person who fails to appear pursuant to an order to show cause or fails to show good cause for noncompliance with a summons may be penalized pursuant to the penalties authorized by 28 U.S.C. § 1864(b).

19. DISCLOSURE OF JUROR NAMES TO PARTIES, THE PUBLIC AND TO THE MEDIA [28 U.S.C. §§ 1863(b)(7) and 1867(f)]

The contents of juror records or papers used by the Clerk in connection with the jury selection process shall not be disclosed, except as specified herein.

A. Grand Jurors. As proceedings involving a grand jury are secret and records, orders and subpoenas relating to grand jury proceedings are maintained under seal, the release of information involving the identity of grand jurors to the public or to the media may present significant issues which impede or distract from the investigative nature of the grand jury impaneled. As such, it is the policy pursuant to this Plan not to disclose to the media or to the public the name, the address or the telephone number of any member of a grand jury which is *actively* impaneled. Should a request for information concerning the identity of a grand juror arise, the Court will determine whether the disclosure of personal information involving grand jury members is warranted, consistent with the provisions of Rule 6(e), FED R. CR. P. and 28 U.S.C. § 1867(f).

B. Petit Jurors.

(1) *Potential Trial Jurors*. Pursuant to practice within this District, the Court obtains background information from qualified jurors⁶ for the purpose of expediting the *voir dire* process. The background information is obtained using a locally-developed questionnaire. See Local Form 229, this Appendix. When requested, background questionnaires are provided to counsel to the parties in litigation for the purpose of disclosing relevant information helpful to the jury selection process. It is the policy pursuant to this Plan not to disclose to the media or to the public

⁶ Although these individuals have been qualified as potential jurors pursuant to 28 U.S.C. § 1865 and summoned as jurors pursuant to 28 U.S.C. § 1866, they have not yet been selected to serve as a trial juror in an active case.

the name of any *potential* trial juror who completes this questionnaire, including the personal information contained therein. This non-disclosure policy also applies to the parties in litigation or counsel to the parties in litigation who are in possession of the information contained by these questionnaires.

(2) *Active Trial Jurors*. While case law has recognized that the press has a qualified right to obtain juror information,⁷ the Court may in its discretion temporarily withhold juror information from the press or public in sensitive cases or in unusual circumstances.⁸ As such, it is the policy pursuant to this Plan to disclose to the public or to the media, *upon request*, the names of the jurors impaneled in a case and the corresponding town or city in which they reside within seven days after the conclusion of trial. This policy applies to trial jurors sitting in either civil or criminal cases in this district.

20. MAINTENANCE AND INSPECTION OF JURY RECORDS [28 U.S.C. § 1868]

The office of the clerk shall retain all records and papers compiled and maintained pursuant to this Plan for a four year period as specified by 28 U.S.C. § 1868 or for such longer period as ordered by the Court. This material shall be available for public inspection for the purpose of determining the validity of the selection of any jury within the District of Vermont.

21. EFFECTIVE DATE OF THE PLAN [28 U.S.C. SECTION 1863(c)]

Copies of this Plan and any future modifications will be provided to the Reviewing Panel

⁷ See *United States v. Antar*, 38 F.3d 1348 (3rd Cir. 1994); *In re Globe Newspaper Co.*, 920 F.2d 88 (1st Cir. 1990); and *In re Baltimore Sun Co.*, 841 F. 2d 74 (4th Cir. 1988).

⁸ See *In re Bay City Times*, 143 F. Supp. 2d 979 (E.D. Mich. 2001); *United States v. Espy*, 31 F. Supp. 2d 1 (D.D.C 1988); *In re Indianapolis Newspapers, Inc.*, 837 F. Supp. 956 (S.D. Ind. 1992) and *United States v. Butt*, 753, F. Supp. 44 (D. Mass. 1990).

specified by 28 U.S.C. § 1863 (a) for the purpose of ascertaining compliance with the Jury Selection and Services Act of 1968, as amended. This Plan shall be placed into operation upon approval by the Reviewing Panel and “shall become effective after approval at such time thereafter as the panel directs, in no event to exceed ninety days from the date of approval.”

28 U.S.C. § 1863(c).

22. FILING COPIES OF THE PLAN [28 U.S.C. SECTION 1863(a)]

Upon approval, a copy of this Plan will be filed with the Administrative Office of the United States Courts and the Attorney General of the United States.

23. APPROVAL BY THE DISTRICT COURT

This Plan and the procedures specified herein are approved.

Dated at Burlington, in the District of Vermont, this 26th day of June, 2006.

/s/ WILLIAM K SESSIONS III
William K. Sessions III
Chief Judge

Dated at Brattleboro, in the District of Vermont, this 27th day of June, 2006

/s/ J. GARVAN MURTHA
J. Garvan Murtha
District Court

24. ENDORSEMENT & APPROVAL BY THE REVIEWING PANEL

This Plan and the procedures specified herein are approved. The effective date for implementation of this Plan shall be: July 18, 2006.

/s/ KAREN G. MILTON

Signature of Approving Official

Circuit Executive

July 18, 2006

Date

APPENDIX 1

NORTHERN JURY DIVISION

CALEDONIA:

Barnet, Burke, Danville, Groton, Hardwick, Kirby, Lyndon, Newark, Peacham, Ryegate, St. Johnsbury, Sheffield, Stannard, Sutton, Walden, Waterford and Wheelock.

CHITTENDEN:

Bolton, Buel's Gore, Burlington, Charlotte, Colchester, Essex, Hinesburg, Huntington, Jericho, Milton, Richmond, St. George, Shelburne, South Burlington, Underhill, Westford, Williston and Winooski.

ESSEX:

Averill, Avery's Gore, Bloomfield, Brighton, Brunswick, Canaan, Concord, East Haven, Ferdinand, Granby, Guildhall, Lemington, Lewis, Lunenburg, Maidstone, Norton, Victory, Warren's Gore and Warren's Grant.

ORLEANS:

Albany, Barton, Brownington, Charleston, Coventry, Craftsbury, Derby, Glover, Greensboro, Holland, Irasburg, Jay, Lowell, Morgan, Newport City, Newport Town, Troy, Westfield and Westmore.

FRANKLIN:

Bakersfield, Berkshire, Enosburg, Fairfax, Fairfield, Fletcher, Franklin, Georgia, Highgate, Montgomery, Richford, St. Albans City, St. Albans Town, Sheldon and Swanton.

GRAND ISLE:

Alburg, Grand Isle, Isle LaMotte, North Hero and South Hero.

LAMOILLE:

Belvidere, Cambridge, Eden, Elmore, Hyde Park, Johnson, Morristown, Stowe, Waterville and Wolcott.

WASHINGTON:

Barre City, Barre Town, Berlin, Cabot, Calais, Duxbury, East Montpelier, Fayston, Marshfield, Middlesex, Montpelier, Moretown, Northfield, Plainfield, Roxbury, Waitsfield, Warren, Waterbury, Woodbury and Worcester.

APPENDIX 2

SOUTHEASTERN JURY DIVISION

ORANGE:

Bradford, Braintree, Brookfield, Chelsea, Corinth, Fairlee, Newbury, Orange, Randolph, Strafford, Thetford, Topsham, Tunbridge, Vershire, Washington, West Fairlee and Williamstown.

WINDHAM:

Athens, Brattleboro, Brookline, Dover, Dummerston, Grafton, Guilford, Halifax, Jamaica, Londonderry, Marlboro, Newfane, Putney, Rockingham, Somerset, Stratton, Townshend, Vernon, Wardsboro, Westminster, Whitingham, Wilmington and Windham.

WINDSOR:

Andover, Baltimore, Barnard, Bethel, Bridgewater, Cavendish, Chester, Hartford, Hartland, Ludlow, Norwich, Plymouth, Pomfret, Reading, Rochester, Royalton, Sharon, Springfield, Stockbridge, Weathersfield, Weston, West Windsor, Windsor and Woodstock.

APPENDIX 3

SOUTHWESTERN JURY DIVISION

ADDISON:

Addison, Bridport, Bristol, Cornwall, Ferrisburg, Goshen, Granville, Hancock, Leicester, Lincoln, Middlebury, Monkton, New Haven, Orwell, Panton, Ripton, Salisbury, Shoreham, Starksboro, Vergennes, Waltham, Weybridge and Whiting.

BENNINGTON:

Arlington, Bennington, Dorset, Glastenbury, Landgrove, Manchester, Peru, Pownal, Readsboro, Rupert, Sandgate, Searsburg, Shaftsbury, Stamford, Sunderland, Winhall and Woodford.

RUTLAND:

Benson, Brandon, Castleton, Chittenden, Clarendon, Danby, Fair Haven, Hubbardton, Ira, Killington, Mendon, Middletown Springs, Mt. Holly, Mt. Tabor, Pawlet, Pittsfield, Pittsford, Poultney, Proctor, Rutland City, Rutland Town, Shrewbury, Sudbury, Tinmouth, Wallingford, Wells, West Haven and West Rutland.

APPENDIX 4

LISTING BY TOWN AND ZIP CODE

NORTHERN DIVISION

1. ALBANY	05820	35. E. MONTPELIER	05651
2. ALBURG	05440	36. EDEN	05652
3. AVERILL	05905	37. ELMORE	05657
4. AVERY'S GORE	05905	38. ENOSBURG	05450
5. BAKERSFIELD	05441	39. ESSEX	05451
6. BARNET	05821	40. FAIRFAX	05454
7. BARRE CITY	05641	41. FAIRFIELD	05455
8. BARRE TOWN	05678	42. FAYSTON	05660
9. BARTON	05822	43. FERDINAND	05905
10. BELVIDERE	05492	44. FLETCHER	05444
11. BERKSHIRE	05450	45. FRANKLIN	05457
12. BERLIN	05602	46. GEORGIA	05478
13. BLOOMFIELD	05905	47. GLOVER	05839
14. BOLTON	05676	48. GRANBY	05840
15. BRIGHTON	05846	49. GRAND ISLE	05458
16. BROWNINGTON	05860	50. GREENSBORO	05841
17. BRUNSWICK	05905	51. GROTON	05046
18. BUEL'S GORE	05487	52. GUILDHALL	05905
19. BURKE	05871	53. HARDWICK	05843
20. BURLINGTON	05401	54. HIGHGATE	05459
21. CABOT	05647	55. HINESBURG	05461
22. CALAIS	05648	56. HOLLAND	05830
23. CAMBRIDGE	05444	57. HUNTINGTON	05462
24. CANAAN	05903	58. HYDE PARK	05655
25. CHARLESTON	05872	59. IRASBURG	05845
26. CHARLOTTE	05445	60. ISLE LA MOTTE	05463
27. COLCHESTER	05446	61. JAY	05859
28. CONCORD	05824	62. JERICHO	05465
29. COVENTRY	05825	63. JOHNSON	05656
30. CRAFTSBURY	05826	64. KIRBY	05851
31. DANVILLE	05828	65. LEMINGTON	05903
32. DERBY	05829	66. LEWIS	05905
33. DUXBURY	05676	67. LOWELL	05847
34. EAST HAVEN	05837	68. LUNENBERG	05906

69. LYNDON	05851	109. WARNERS GRANT	05905
70. MAIDSTONE	05905	110. WARREN	05674
71. MARSHFIELD	05658	111. WARREN GORE	05905
72. MIDDLESEX	05602	112. WATERBURY	05676
73. MILTON	05468	113. WATERFORD	05848
74. MONTGOMERY	05470	114. WATERVILLE	05492
75. MONTPELIER	05602	115. WESTFIELD	05874
76. MORETOWN	05660	116. WESTFORD	05494
77. MORGAN	05853	117. WESTMORE	05860
78. MORRISTOWN	05661	118. WHEELOCK	05851
79. NEWARK	05871	119. WILLISTON	05495
80. NEWPORT CITY	05855	120. WINOOSKI	05404
81. NEWPORT TOWN	05857	121. WOLCOTT	05680
82. NORTH HERO	05474	122. WOODBURY	05681
83. NORTHFIELD	05663	123. WORCESTER	05682
84. NORTON	05907		
85. PEACHAM	05862		
86. PLAINFIELD	05667		
87. RICHFORD	05476		
88. RICHMOND	05477		
89. ROXBURY	05669		
90. RYEGATE	05042		
91. SHEFFIELD	05866		
92. SHELBURNE	05482		
93. SHELDON	05483		
94. SO. BURLINGTON	05403		
95. SOUTH HERO	05486		
96. ST. ALBANS CITY	05478		
97. ST. ALBANS TOWN	05481		
98. ST. GEORGE	05495		
99. ST. JOHNSBURY	05819		
100. STANNARD	05842		
101. STOWE	05672		
102. SUTTON	05867		
103. SWANTON	05488		
104. TROY	05868		
105. UNDERHILL	05489		
106. VICTORY	05858		
107. WAITSFIELD	05673		
108. WALDEN	05873		

LISTING BY TOWN AND ZIP CODE

SOUTHEASTERN DIVISION

1. ANDOVER	05143	37. ROCHESTER	05767
2. ATHENS	05143	38. ROCKINGHAM	05101
3. BALTIMORE	05143	39. ROYALTON	05068
4. BARNARD	05031	40. SHARON	05065
5. BETHEL	05032	41. SOMERSET	05302
6. BRADFORD	05033	42. SPRINGFIELD	05156
7. BRAINTREE	05060	43. STOCKBRIDGE	05772
8. BRATTLEBORO	05301	44. STRAFFORD	05072
9. BRIDGEWATER	05034	45. STRATTON	05360
10. BROOKFIELD	05036	46. THETFORD	05075
11. BROOKLINE	05345	47. TOPSHAM	05086
12. CAVENDISH	05142	48. TOWNSHEND	05353
13. CHELSEA	05038	49. TUNBRIDGE	05077
14. CHESTER	05143	50. VERNON	05354
15. CORINTH	05039	51. VERSHIRE	05079
16. DOVER	05356	52. WARDSBORO	05355
17. DUMMERSTON	05346	53. WASHINGTON	05675
18. FAIRLEE	05045	54. WEATHERSFIELD	05030
19. GRAFTON	05146	55. WEST FAIRLEE	05083
20. GUILDFORD	05301	56. WEST WINDSOR	05037
21. HALIFAX	05358	57. WESTMINSTER	05158
22. HARTFORD	05001	58. WESTON	05161
23. HARTLAND	05048	59. WHITINGHAM	05342
24. JAMAICA	05343	60. WILLIAMSTOWN	05679
25. LONDONDERRY	05155	61. WILMINGTON	05363
26. LUDLOW	05149	62. WINDHAM	05359
27. MARLBORO	05344	63. WINDSOR	05089
28. NEWBURY	05051	64. WOODSTOCK	05091
29. NEWFANE	05345		
30. NORWICH	05055		
31. ORANGE	05649		
32. PLYMOUTH	05056		
33. POMFRET	05053		
34. PUTNEY	05346		
35. RANDOLPH	05060		
36. READING	05062		

LISTING BY TOWN AND ZIP CODE

SOUTHWESTERN DIVISION

1. ADDISON	05491	37. PERU	05152
2. ARLINGTON	05250	38. PITTSFIELD	05762
3. BENNINGTON	05201	39. PITTSFORD	05763
4. BENSON	05731	40. POULTNEY	05764
5. BRANDON	05733	41. POWNAL	05261
6. BRIDPORT	05734	42. PROCTOR	05765
7. BRISTOL	05443	43. READSBORO	05350
8. CASTLETON	05735	44. RIPTON	05766
9. CHITTENDEN	05737	45. RUPERT	05776
10. CLARENDON	05759	46. RUTLAND CITY	05701
11. CORNWALL	05753	47. RUTLAND TOWN	05736
12. DANBY	05739	48. SALISBURY	05769
13. DORSET	05253	49. SANDGATE	05250
14. FAIR HAVEN	05743	50. SEARSBURG	05363
15. FERRISBURGH	05456	51. SHAFTSBURY	05262
16. GLASTENBURY	05201	52. SHOREHAM	05770
17. GOSHEN	05733	53. SHREWSBURY	05738
18. GRANVILLE	05747	54. STAMFORD	05352
19. HANCOCK	05748	55. STARKSBORO	05487
20. HUBBARDTON	05743	56. SUDBURY	05733
21. IRA	05777	57. SUNDERLAND	05252
22. KILLINGTON	05751	58. TINMOUTH	05773
23. LANDGROVE	05148	59. VERGENNES	05491
24. LEICESTER	05733	60. WALLINGFORD	05773
25. LINCOLN	05443	61. WALTHAM	05491
26. MANCHESTER	05255	62. WELLS	05774
27. MENDON	05701	63. WEST HAVEN	05743
28. MIDDLEBURY	05753	64. WEST RUTLAND	05777
29. MIDDLETOWN SPRINGS	05757	65. WEYBRIDGE	05753
30. MONKTON	05473	66. WHITING	05778
31. MOUNT HOLLY	05758	67. WINHALL	05340
32. MOUNT TABOR	05739	68. WOODFORD	05201
33. NEW HAVEN	05472		
34. ORWELL	05760		
35. PANTON	05491		
36. PAWLET	05761		

APPENDIX 6

{INSERT JURY MAP HERE}

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF VERMONT

Dear Juror:

To give the Court more information about you as a juror, and to assist the Court and counsel in expediting the process of jury selection ensuring fair and impartial juries, the Court requests you answer the questions below and return this form in the postage-paid envelope enclosed in your summons package.

If you have moved to another state, you need only fill out your name and address and return this form.

If there is information that you would prefer to keep confidential, ask to speak privately with the Judge.

Clerk of Court

Mr. ____ Mrs. ____ Miss ____ Ms. ____	Your Age ____
Name ____ Last First Middle Initial	Place of Birth ____
Town/City of Residence ____	____ Single ____ Married ____ Widowed ____ Separated or Divorced
County of Residence ____	Number and ages of children ____
How long have you lived in Vermont? ____ yrs. ____ mos.	Have you been in the military? ____ If so, branch ____ Length of service ____ Highest rank obtained ____
Years of education or highest degree obtained ____ Name of College ____ Major and minor fields ____	Have you ever worked for the state or federal government? ____ Yes ____ No If so, please explain ____
Are you employed? ____ Yes ____ No	Is your spouse employed? ____ Yes ____ No
Your occupation or business ____	Spouse's occupation or business ____
If retired, your occupation before retirement ____	Spouse's Employer's Name ____
Employer's Name ____	Spouse's Employer's Address ____
Address ____	Spouse's duties and responsibilities ____
Describe your duties & responsibilities ____	If spouse is retired, occupation before retirement ____
Do you supervise other employees? ____ How many? ____	Are any of your children employed? ____ Yes ____ No
How long have you worked for present employer? ____	What are their occupations? ____
If less than 10 years, list earlier occupation and prior employers. ____	
If unemployed, how long have you been unemployed? ____	

(Continued on Reverse)

Have you, any relative or person close to you ever been any of the following:

- (a) Victim of a crime ☐ Yes ☐ No
(b) Witness to a crime ☐ Yes ☐ No
(c) Accused of a crime ☐ Yes ☐ No

Have you, or anyone close to you, been a complainant in a criminal case? ☐ Yes ☐ No

If so, please explain. _____

Have you ever served on a state or federal jury trial?

☐ Yes ☐ No

If yes, was it a criminal or civil case? _____

When did you serve? _____

Did the jury reach a verdict in any case in which you served?

☐ Yes ☐ No

If yes, what was the jury's verdict? _____

Estimated number of miles ***ROUND-TRIP*** from your home to courthouse to which you are summoned _____

What do you do in your spare time (social activities, hobbies, etc.)? _____

In what social or other organizations do you actively participate? _____

List any newspapers, magazines or periodicals you subscribe to or read on a regular basis. _____

Have you, or anyone close to you, been a plaintiff or a defendant in a civil case?

☐ Yes ☐ No If so, please explain.

Indicate your vacation or business travel plans (dates) within the next four months:

I declare under penalty of perjury that all answers are true to the best of my knowledge and belief.

**Sign
Here**

Date: